

AGENDA ITEM

#7

Revocation Hearing (Continued from December 12, 2012 RPC meeting):

Revocation Hearing concerning CU-12-0007: Public Hearing to determine if any of the conditions associated with CU-12-0007 have been violated. A determination of failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revoking the conditional use permit. CU-12-0007 allows for an Animal Sanctuary (Bengal Tigers, Ligers) on 18.28 acres, zoned Rural Homestead (RH-4.5), located at 6061 N. Woodchips Road. Raymond Mielzynski – Property Owner. Karl Mitchell – Grantee. AP# 27-241-26.

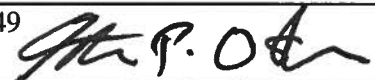
NOTE: The Applicant has requested a second continuation of this matter to the RPC's next meeting on February 13, 2013 due to undisclosed health issues. The District Attorney's Office has reviewed the request and recommends that the RPC grant a second continuation.



NYE COUNTY, NV
PAHRUMP REGIONAL PLANNING COMMISSION
REGULAR MEETING – JANUARY 16, 2013



Staff Report
Agenda Item No. 7

CASE DESCRIPTION(S):	<u>Revocation Hearing concerning CU-12-0007:</u> Public Hearing to determine if any of the conditions associated with CU-12-0007 have been violated. A determination of failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revoking the conditional use permit. CU-12-0007 allows for an Animal Sanctuary (Bengal Tigers, Ligers) on 18.28 acres, zoned Rural Homestead (RH-4.5).
LOCATION:	Located at 6061 N. Woodchips Road
APN NUMBER(S):	AP# 27-241-26
LEGAL DESCRIPTION(S):	Parcel 4 of File Map #56470
PROPERTY OWNER(S):	Raymond Mielzynski – Property Owner
APPLICANT(S):	Karl Mitchell – Applicant/Grantee
AGENT(S):	None.
STAFF CONTACT:	Steve P. Osborne, AICP, Planning Director – (775) 751-4249 

PROJECT SYNOPSIS:

Public Hearing to determine if any of the conditions associated with CU-12-0007 have been violated. A determination of failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revoking the conditional use permit. CU-12-0007 allows for an Animal Sanctuary (Bengal Tigers, Ligers) on 18.28 acres, zoned Rural Homestead (RH-4.5).

Conclusions – The Applicant/Grantee appears to be in violation of the Conditions of Approval of Conditional Use Permit CU-12-0007.

RECOMMENDED MOTION(S):

Motion to **REVOKE** CU-12-0007, based upon the finding of one or more violations of the Conditions of Approval (or move to Not Revoke CU-12-0007, based upon a finding of no violations of the Conditions of Approval, as determined by the Pahrump Regional Planning Commission).

DISCUSSION

The Nye County Board of County Commissioners (BOCC), on October 16, 2012, on appeal, overturned the RPC's denial, and approved Conditional Use Permit Application CU-12-0007: Conditional Use (CU) application to allow an Animal Sanctuary with Special Condition Animals (Exotic Animals – Tigers, Ligers) on property zoned Rural Homestead (RH-4.5) and Master Planned Low Density Residential, located at 6061 N. Woodchips Road, Pahrump, Nevada, AP# 27-241-26.

The BOCC approved the Conditional Use Permit subject to the following conditions of approval:

1. Property Owner and Applicant shall comply with all Federal, State, County and Town regulations, laws and codes.
2. Nye County Planning, Public Works and Pahrump Valley Fire-Rescue Services reserve the right to provide further comment should any new development be proposed at a future date.
3. All animals shall be treated in a humane manner.
4. Any Code Compliance Officer, Animal Control Officer, Sheriff's Officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the Conditional Use Permit or any applicable state law or the regulations of Nye County are being violated.
5. All special conditions animals shall be registered with the Nye County Animal Control Office.
6. Applicant shall obtain any required permits issued through Nevada Wildlife Department or the USDA or any other agency.
7. All permits issued through Nevada Wildlife Department or the USDA or any other agency or organization shall be current and kept on file in the Nye County Animal Control Office.
8. Inspection of animals and their habitat shall be conducted annually by the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.
9. The sanctuary shall not be open to the public; no exhibiting of the animals shall be allowed to occur on the premises.
10. Any changes to the operation of the sanctuary (i.e., opening the facility to the public, having established hours of operation) shall require an amendment of the Conditional Use Permit which will require a Public Hearing and approval by the RPC.
11. Failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revocation.
12. Applicant shall obtain a Town of Pahrump Business License within 30 days of approval of the Conditional Use Permit.
13. This Conditional Use Permit is not transferrable to subsequent property owners or tenants.
14. The Conditional Use Permit shall expire in three (3) years. Applicant may apply for a renewal prior to expiration. A renewal application shall require the same approval process as the original application. The Conditional Use Permit shall become void upon this use relocating to a different property.
15. The height, material, and design of all cages, fencing, and other animal enclosures must comply with all requirements deemed appropriate by the Nye County Animal Control Office. Failure to comply with any cage, fencing, or other animal enclosure requirement shall be deemed just cause for revocation.

A letter received from the United States Department of Agriculture (USDA) indicates that Mr. Mitchell's activities constitute "exhibition" and requires a license from USDA, which Mr. Mitchell does not possess.

Based upon the information submitted by the USDA, Mr. Mitchell appears to be in violation of the following Conditions of Approval:

1. Property Owner and Applicant shall comply with all Federal, State, County and Town regulations, laws and codes.
6. Applicant shall obtain any required permits issued through Nevada Wildlife Department or the USDA or any other agency.
9. The sanctuary shall not be open to the public; no exhibiting of the animals shall be allowed to occur on the premises.

CONCLUSION

Based upon the information submitted by the USDA, the applicant appears to be in violation of the Conditions of Approval of the granted Conditional Use Permit. If the RPC concurs that the evidence shows the applicant has violated the conditions, then the Conditional Use Permit should be revoked.



United States
Department of
Agriculture

Animal and Plant
Health Inspection
Service

Animal Care
Western Region

2150 Centre Ave.
Building B
Mail Stop # 3W11
Ft. Collins, CO 80526
Phone: 970/494-7478

October 22, 2012

Dan Schinhofen
2100 East Walt Williams Drive #100
Pahrump, NV 89048

Dear Commissioner Schinhofen;

I write in response to your inquiry regarding the licensing status of Mr. Karl Mitchell under the Animal Welfare Act (AWA). The AWA requires persons who engage in the exhibition of warm-blooded animals to the public to be licensed, and authorizes the Secretary of Agriculture to assess civil penalties and to suspend or revoke licenses in the event of violations. 7 U.S.C. ss. 2133, 2149(b).

Please be advised that neither Karl Mitchell, nor any of his affiliated businesses, holds a valid AWA license. The license previously held by Mr. Mitchell (No. 88-C-0076) was revoked by order of the Secretary of Agriculture in 2001. Moreover, by regulation (9 C.F.R. ss. 2.10(b), 2.11(a)), Mr. Mitchell may not be issued another AWA license. The AWA regulations bar a person whose license has been revoked from buying, selling, transporting, delivering for transport, or exhibiting any animal.

The following is a summary of the administrative proceedings against Mr. Mitchell and his affiliated entities to date:

1. *In re Karl Mitchell*, 57 Agric. Dec. 972 (1998), AWA Docket No. 97-0028. Decision and Order issued September 9, 1998, by Administrative Law Judge Victor W. Palmer, finding that Karl Mitchell violated the AWA regulations, and assessing a \$750 civil penalty.
2. *In re Karl Mitchell, an individual; and All Acting Animals, a sole proprietorship or unincorporated association*, 60 Agric. Dec. 91 (2001), AWA Docket No. 01-0016. Decision and Order, issued June 13, 2001, and Order Granting Complainant's Petition for Reconsideration, issued August 8, 2001, by Judicial Officer (JO) William G. Jensen (finding multiple violations of the AWA and the regulations, revoking AWA license number 88-C-0076 and assessing a \$16,775 civil penalty), *aff'd sub. nom. Mitchell v. U.S. Dep't of Agriculture*, 42 Fed. Appx. 991, 2002 WL 1941189 (9th Cir. 2002) (unpublished) (denying petition for review). The civil penalty has not been paid.
3. *In re Karl Mitchell, an individual; and Big Cat Encounters, a Nevada corporation*, AWA Docket No. 09-0084. Decision and Order, issued December 21, 2010, and Order Denying Petition for Reconsideration, issued March 8, 2011, by JO Jensen (finding multiple violations of the AWA and regulations, and assessing joint civil penalties of \$67,000 and assessing Karl Mitchell an additional civil penalty of \$19,500 for 12

knowing failures to obey cease and desist orders issued by the Secretary in In re Karl Mitchell, 57 Agric. Dec. 972 (1998), and In re Karl Mitchell, 60 Agric. Dec. 647 (2001). The JO's decision has become final. The civil penalties have not been paid.

Copies of these decisions are enclosed.

The activity described below (copied directly from Mr. Mitchell's website) is considered exhibition under the AWA, and therefore requires a USDA exhibitor's license.

Big Cat Experience: Itinerary

The Big Cat Encounters Ranch is located in Pahrump, Nevada, a short distance from Las Vegas.

- We are a private entity reserved for VIP types and not the general public.
- We accept Donations from \$500.00 for one person to interact for an hour.
- Our donation rate escalates at \$250 every extra adult.
- Casual attire is recommended; dress appropriately to accommodate the outside temperature of Las Vegas. Remember, the big cat reserve is a rustic, desert ranch inhabited by wild Bengal tigers.
- Children welcome when accompanied by an adult.
- Call me or visit us to make a deposit and put reservations in the "purchase" box.
- Thanks for your interest.

If additional information is needed, feel free to contact me at the address or telephone number provided.

Sincerely,



Robert M. Gibbens, DVM
Director, Western Region
USDA, APHIS, Animal Care



Safeguarding American Agriculture
APHIS is an agency of USDA's Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

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Visit the donate tab to make a deposit, and put reservations in the "purpose" box.
- Thanks for your interest.


bigcatencounters@gmail.com
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Ranch Itinerary

The Big Cat Encounters Ranch is located in Pahrump, Nevada, a short distance from Las Vegas.

You will spend about an hour exploring the reserve and have your picture taken with a noble Bengal tiger.

Casual attire is recommended; dress appropriately to accommodate the outside temperature of Las Vegas. Remember, the big cat reserve is a rustic, desert ranch inhabited by wild Bengal tigers.

Children welcome when accompanied by an adult.

Reservations/Donations click the **DONATE** button.

BIG CAT ENCOUNTERS survives solely on donations from kind people like you. Any and all sized donations are accepted and go toward the support of the "big cats" and the maintenance of their habitat.

VISITS: A \$750 donation is given for one person to interact for an hour; any additional persons are \$250 each.

Big Cat Encounters

Experience a *Once in a Lifetime*, "One-on-One" personal encounter with one of the planet's most powerful, precious, and dangerous species. A once in a lifetime, edu-tainment experience. Parties Welcome.

One of the most unique tourist destinations in Pahrump is the Big Cat Encounters Ranch. Located in north Pahrump on twenty acres of grassland, the Ranch offers the opportunity for visitors to see tigers up close and personal.



Currently, the ranch has 8 rare tigers both white and tabby heterozygous species, a liger and ten rescued stray dogs.



Visitors can pet the tigers and romp with the baby tigers (when available), who are as playful as kittens. The Ranch also offers a unique "Big Cat Educational Program". Karl and his wife, Kayla, are currently appearing on Nat Geo Wild's Animal Intervention--"Tigers on the Strip", and appeared on Animal Planet's "Fatal Attractions".

Karl Mitchell, owner and operator of Big Cat Encounters Ranch, started in the animal world 25 years ago when he trained his house cat to ride on his motorcycle with him. A veteran animal trainer was impressed and invited Karl to help him in his business. Eventually Mitchell became a sort of animal guru, able to train animals ranging from antelope to zebras. His real passion has become the big cats of Africa and tigers from India.



-from Las Vegas Advisor, Dec. 28, 2010

Q: What can you tell us about the Big Cat Encounters in Pahrump?

Donate



Karl Mitchell
Big Cat Encounters
P.O. Box 1085
Pahrump, Nevada 89041
424-731-0768

bigcatencounters@gmail.com



follow us...



A:

Contrary to Pahrump's colorful reputation and the possible connotations of the name, Big Cat Encounters is not a brothel and the "big cats" there are just that -- Bengal tigers (plus, one liger, the offspring of a male lion and female tiger).

Despite having lived in Las Vegas on-and-off for almost a decade, the current writer must confess to never having heard of this facility prior to receiving your email. However, having spoken with owner Karl Mitchell, it's clear that there's a good reason for that. Mitchell is a very private person who explained that he also respects the privacy of his tigers, and Big Cat Encounters is not a tourist attraction. It's not open to the public, other than by private appointment and these are granted at Mitchell's discretion or whim and on an occasional basis. (That said, there is a gallery of celebrity visitors on the Big Cat Encounters website, and the facility is periodically opened up to cameras for documentaries, music videos, and other media.)

As far as the background goes, Karl Mitchell is an ex-Marine and Vietnam veteran who suffers from Post Traumatic Stress Disorder. After his return from the war, an affinity with animals that he discovered almost by accident, by training his pet cat to ride on his motorcycle, led to a career in Hollywood and on the Las Vegas Strip, and to his qualifying as a State of Nevada Humane Officer; but more importantly, he explained to us, it gave him the antidote to the anxiety and stress associated with PTSD.

Hence, twenty years ago, Mitchell moved to the virtual wilderness of Pahrump, and has been living there and raising tigers ever since. In addition to celebrities, those he's most likely to permit to experience one of his "VIP Big Cat Encounters" are people with medical conditions whom he feels could benefit, as he does, from the therapeutic value of being around the tigers. As you can see from the video links on his site, Mitchell gets very up close and personal with the big cats, which he socializes to a degree, but does not train to perform as they would on a stage or in a show; if you're a visitor, you might be lucky and get to hang out with a tiger, but if they're not in the mood that day and opt to go swim in the lagoon, he's not going to inconvenience the tiger on your behalf.

A \$500 donation is given

for one person to interact for an hour; any additional persons are \$250 each. Visit the website for more information and photographs; if you'd like the opportunity to visit, there's a phone number and email address.

Donation Receipt

Began with his cat

Karl began animal communication with his cat, "Mitten". She would ride on the handlebars of his motorcycle which caught the attention of Hollywood's top animal trainer, Ray Berwick. An apprenticeship followed, with Karl Working at Universal Studios, training and presenting animal stars for major feature films and TV shows. Shows include "Omen II", "High Anxiety", "Baretta", and "Circus of the Stars".

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bigcatencounters@gmail.com

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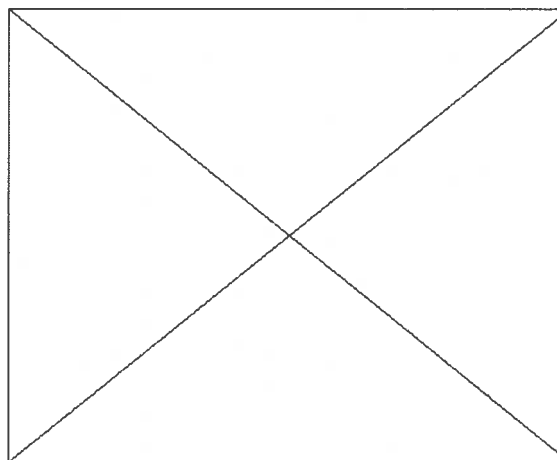
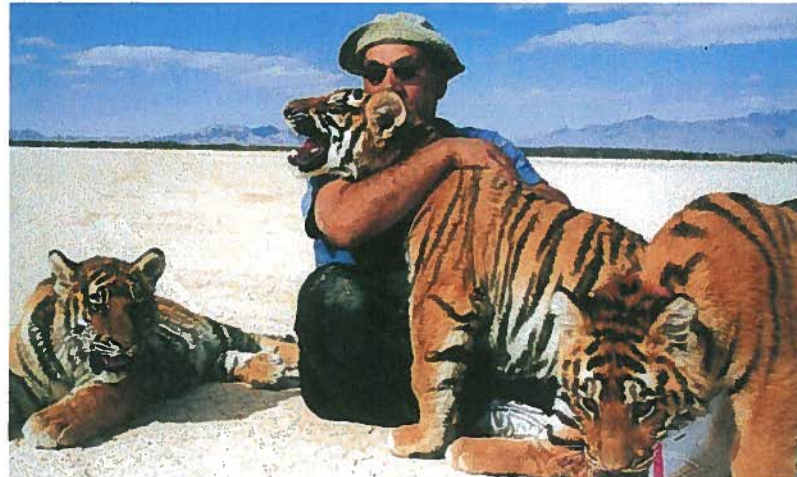


Karl Mitchell
 Big Cat Encounters
 P.O. Box 1085
 Pahrump, Nevada 89041
 424-731-0768



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**Raul
 Rekow**



**Percussionist with
 Carlos Santana**

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Big Cat Experience: Itinerary

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- Children welcome when accompanied by an adult.
- Visit the donate tab to make a deposit, and put reservations in the "purpose" box.
- Thanks for your interest.



October 31, 2012

Karl Mitchell
P.O. Box 1085
Pahrump, NV 89041

RE: Nye County Board of County Commissioners (BOCC) action on AP-12-0002: Appeal of the Pahrump Regional Planning Commission's decision to disapprove a Conditional Use Permit for an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) on an 18.28 acre parcel, located at 6061 N. Woodchips Road, further described as Parcel 4 of File Map #56470. Raymond Mielzynski – Property Owner. Karl Mitchell – Appellant. AP# 27-241-26.

Dear Mr. Mitchell,

The purpose of this correspondence is to advise you that the Nye County Board of County Commissioners (BOCC), on October 16, 2012, took action on your appeal of the Pahrump Regional Planning Commission's decision to deny your Conditional Use Permit Application CU-12-0007: Conditional Use (CU) application to allow an Animal Sanctuary with Special Condition Animals (Exotic Animals – Tigers, Ligers) on property zoned Rural Homestead (RH-4.5) and Master Planned Low Density Residential, located at 6061 N. Woodchips Road, Pahrump, Nevada, AP# 27-241-26.

The BOCC, after conducting a public hearing, voted to overturn the RPC's decision and **APPROVE** your Conditional Use Permit application.

The BOCC approved your Conditional Use Permit with the following conditions of approval:

SPECIAL CONDITIONS OF APPROVAL

1. Property Owner and Applicant shall comply with all Federal, State, County and Town regulations, laws and codes.
2. Nye County Planning, Public Works and Pahrump Valley Fire-Rescue Services reserve the right to provide further comment should any new development be proposed at a future date.
3. All animals shall be treated in a humane manner.
4. Any Code Compliance Officer, Animal Control Officer, Sheriff's Officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the Conditional Use Permit or any applicable state law or the regulations of Nye County are being violated.

TONOPAH OFFICE • PO BOX 1531 • 101 RADAR ROAD • TONOPAH, NEVADA 89049
PHONE: (775) 482-8181 • FAX: (775) 482-7302

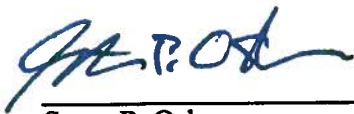
PAHRUMP OFFICE • 250 NORTH HIGHWAY 160 - #1 • PAHRUMP, NEVADA 89060
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Nye County is an Equal Opportunity Employer and Provider

5. All special conditions animals shall be registered with the Nye County Animal Control Office.
6. Applicant shall obtain any required permits issued through Nevada Wildlife Department or the USDA or any other agency.
7. All permits issued through Nevada Wildlife Department or the USDA or any other agency or organization shall be current and kept on file in the Nye County Animal Control Office.
8. Inspection of animals and their habitat shall be conducted annually by the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.
9. The sanctuary shall not be open to the public; no exhibiting of the animals shall be allowed to occur on the premises.
10. Any changes to the operation of the sanctuary (i.e., opening the facility to the public, having established hours of operation) shall require an amendment of the Conditional Use Permit which will require a Public Hearing and approval by the RPC.
11. Failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revocation.
12. Applicant shall obtain a Town of Pahrump Business License within 30 days of approval of the Conditional Use Permit.
13. This Conditional Use Permit is not transferrable to subsequent property owners or tenants.
14. The Conditional Use Permit shall expire in three (3) years. Applicant may apply for a renewal prior to expiration. A renewal application shall require the same approval process as the original application. The Conditional Use Permit shall become void upon this use relocating to a different property.
15. The height, material, and design of all cages, fencing, and other animal enclosures must comply with all requirements deemed appropriate by the Nye County Animal Control Office. Failure to comply with any cage, fencing, or other animal enclosure requirement shall be deemed just cause for revocation.

Should you have any questions please feel free to contact this office at 775-751-4249.

Sincerely,



Steve P. Osborne, AICP
Director of Planning

**NYE COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING DEPARTMENT STAFF REPORT**

Meeting Date: October 16, 2012

AGENDA ITEMS

For Possible Action – AP-12-0002: Appeal of the Pahrump Regional Planning Commission's decision to disapprove a Conditional Use Permit for an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) on an 18.28 acre parcel, located at 6061 N. Woodchips Road, further described as Parcel 4 of File Map #56470. Raymond Mielzynski – Property Owner. Karl Mitchell – Appellant. AP# 27-241-26.

GENERAL INFORMATION SUMMARY

The Pahrump Regional Planning Commission (RPC) held a public hearing on Conditional Use Permit application CU-12-0007 on June 13, 2012, which was a request by Karl Mitchell to allow an Animal Sanctuary with Special Conditions Animals (Exotic Animals – Tigers, Ligers) on property zoned Rural Homestead (RH-4.5) and Master Planned Low Density Residential, located at 6061 N. Woodchips Road, Pahrump, Nevada, AP# 27-241-26.

After closing the public hearing, a motion to approve the conditional use permit failed by a 3-3 tie vote. After consultation with the District Attorney's office, it was determined that a tie vote does not constitute a decision, and therefore the Conditional Use Permit application was re-heard by the RPC at their August 15, 2012 meeting.

The RPC, at its August 15, 2012 meeting, conducted a public hearing to re-hear Conditional Use Permit application CU-12-0007. After considering all testimony, facts and evidence submitted to the RPC pertaining to this matter, the RPC voted to disapprove the application.

The following is a summary of the reasons upon which the RPC disapproved the application:

1. The RPC viewed the proposed use to be potentially hazardous or detrimental to existing or future neighboring uses and properties; and
2. The RPC found inadequate evidence that the proposed use would be a substantial improvement to property in the immediate vicinity and to the community as a whole.

An appeal of the RPC's decision was subsequently filed by Mr. Mitchell within the 30 day time frame required by Nye County Code.

The BOCC may affirm, modify, or reverse the Pahrump Regional Planning Commission's decision.

RPC MINUTES

RPC Minutes (from the June 13, 2012 RPC meeting):

Commissioner Hand refers to staff. Steve Osborne stated that the Nye County Code allows for special condition animals as well as animal sanctuaries within the RH-4.5 zone. The property is zoned RH-4.5 and approximately 20 gross acres in size. The Nye County Animal Control office has inspected the property, and found it secure and within county code. Mr. McCarty is present to answer any animal control questions the Commission has. There have been three letters of opposition of the application and two letters of support. Since the staff report preparation there have been additional letters that have come in also. Staff recommends approval of the application based on the special conditions in the staff report.

Commissioner Hand asks Mr. Osborne a question in regards to the staff findings on the conditional use. Commissioner Hand asks staff why they feel that this will not create excessive noise?

Mr. Osborne stated that the applicant stated that it won't be open to the public and it won't be open on a daily basis so there will be minimal traffic to the area. Based on the size of the property and that there is minimal existing development in the facility. There are no existing dwellings within 600 feet of the tigers on the property. The current lots are not developed around the property.

Commissioner Hafen asks Mr. Osborne to explain the finding #3 in the staff report being that it is Low Density Residential surrounding the parcel.

Mr. Osborne stated the property is also zoned Low Density Residential and the property is compatible with the potential uses that could occur.

Commissioner Goode questions the fencing around the property.

Mr. Osborne stated that there isn't just one perimeter fence, the site plan shows multiple enclosures for the animals and maybe the question should be directed to Animal Control to give more details.

Tim McCarty from Nye County Animal Control addresses Commissioner Goode's questions regarding fencing.

Mr. McCarty stated that their main focus is the caging of the animals with a roof on top of the cages. It isn't ideal but it is more than adequate based on current code.

Mr. McCarty doesn't see any threat of safety. He has been to the property on four different occasions to view the progress of the property. Mr. Mitchell has been very upfront with the Animal Control and in contact with Animal Control.

Commissioner Goode asks if the animals are caged or roaming the property.

Mr. McCarty stated the animals are caged in a large area with a secondary fence around those cages then there is a property fence around the perimeter. There has been no reported incident threatening escape on his property or any other special condition property within the valley.

Commissioner Parker asks Mr. McCarty if he would feel comfortable living near the property.

Mr. McCarty stated that there a number of special condition facilities, some are exemplary and he wouldn't feel comfortable living next to them. Mr. McCarty stated there is nothing for quite some distance by the property; you have to travel a great distance on a gravel road to reach another home.

Karl Mitchell approached the board and stated that he needs this conditional use permit to keep the peace within the community. The property is to be a primary residence for himself and his big cats.

Commissioner Borasky asks Mr. Mitchell how long he has lived on the property and why he is now coming to ask for a permit?

Mr. Mitchell stated he has been living there for 1 year and that he has been in negotiations with the District Attorney's office for more than 8 months on whether or not he needed a conditional use permit and then applied when it became evident to him he would need one.

Commissioner Goode asks Commissioner Borasky if the revision of Title 6 will affect the outcome of the permit?

Mr. McCarty stated that it will not affect the outcome, the standards he is living by and special condition permit holders are being put into place now. They have been applying these changes administratively since the beginning, however they didn't have any footing, but now they will if Title 6 passes. All the permit holders have been abiding by the standards that Animal Control set for them.

Commissioner McCall refers to Special Condition #9. Commissioner McCall asked if Mr. Mitchell's website is still up today and Mr. Mitchell stated his website is an educational and informational website and it was negotiated with a Federal Judge.

Commissioner McCall questions that on his website he will accept a \$500 donation for someone to see the animals and is that not considered exhibiting the animals?

Mr. Mitchell states due to the notoriety of the animals being on national television that they had to put a price on seeing the animals as to discourage the public from wanting to see the animals. Mr. Mitchell doesn't believe that solicits exhibiting the animals.

Commissioner Hand states that it is on 20 acres and it is bordered by ½ acre unbuildable lots. If the permit is granted, the properties will become worthless. Mr. Mitchell believes that is not the case and the selling of the properties will not be affected due to his Special Conditions Permit.

Commissioner Hand asks if Mr. Mitchell is planning on staying on the property for a short time and Mr. Mitchell replies that is debatable. Commissioner Hand asks if he only wants a short term permit, and Mr. Mitchell stated he was under the understanding the Permits have a time limit on them. Mr. Osborne stated the CUP has no time limit on it but a time limit can be imposed.

Mr. Mitchell stated that within ½ mile from his house that there is another Cat facility on 9 acres and he can't hear the other animals. So there shouldn't be a noise issue.

Commissioner Borasky asked Mr. Mitchell if tigers can jump twice as high as they can stand? Mr. Mitchell stated that is correct.

Commissioner Hafen asks the applicant if he currently has a license through the Nevada Wildlife Department or the USDA?

Mr. Mitchell states those aren't required.

Commissioner Hafen states per 17.04.110 the definition states otherwise. One of the conditions of approval is that the licenses be submitted to Animal Control.

Mr. Mitchell states that tigers are not regulated by the Department of Wildlife and not a requirement to have a USDA license for tigers. So the definition doesn't apply.

Commissioner Hand asks if it is possible for Mr. Mitchell to become licensed.

Mr. Mitchell states if it is required then yes it is possible.

Mr. Kimball states that they have been working on various different levels with animals with special conditions and the USDA requirements which are included in Title 6 are vague. What is clear is to exhibit animals would require a license. The issue with Mr. Mitchell has always been if he was exhibiting the animals. When you read the USDA requirements is that whether or not we allow animals with Special Conditions will be the judgment call of the RPC, input from the public and Animal Control will be required. If a Conditional Use Permit is violated the permit needs to be revoked.

Mr. Hafen asks if the new Title 6 addresses most of the issues he is raising.

Mr. Kimball states that it will only address some of those issues with Special Condition animals and the primary safeguard with these animals is in the CUP processes and that is a land use designation under Title 17. Title 6 was obsolete and needed to be rewritten. You won't see anything in Title 6 that will change the discussion at this meeting.

Commissioner Hafen addresses Mr. Mitchell and asks if they were to approve this permit tonight does he anticipate having additional animals or just the animals he currently has on the property.

Mr. Mitchell states at this point just the animals on his property but to be mindful that he does have an animal rescue and those numbers can change, but the projected plan is for animals that are there.

Commissioner Hafen asks if Mr. Mitchell would be ok with limiting it to just the animals that are there.

Mr. Mitchell states that it might not be okay because of the rescue and he might need to take in other cats for the County who need to place a cat somewhere.

Commissioner Hafen asks if this was to go to vote and be approved would Mr. Mitchell be okay with a time limit and once it expires he would have to come back before the RPC?

Mr. Mitchell stated it will depend on what the time limit is.

Commissioner Hafen asked if a 3 year time frame is okay and Mr. Mitchell stated that would be fine.

Commissioner Hafen also asks Mr. Mitchell about special conditions #9 in regards to the exhibiting of the animals.

Commissioner Hafen states that even if it is a donation there shall not be any exhibit of the animals and asked if Mr. Mitchell understands all of the conditions.

Mr. Mitchell stated that he does.

Commissioner Koenig addresses the exhibiting issue. He asks Mr. Mitchell to explain what he thinks exhibiting means.

Mr. Mitchell states that exhibiting means charging a fee, having hours of operations, and having the animals on display.

Commissioner Koenig asks if he comes to Mr. Mitchell and offers \$1000 to pet his animal would that be exhibiting?

Mr. Mitchell states that on his website he mentions on his website that they are not open to exhibit and he places a price tag to discourage people from continually asking to see his animals.

Commissioner Koenig states that because it says on the website that they will take a donation to pet the animals it is exhibiting.

Mr. Mitchell states he doesn't advertise that. He advertises that he educates and he can be contacted.

Commissioner Koenig states if it is posted on the website it is exhibiting.

Commissioner Parker asks how many people come in and pay him \$1000 to see the animals.

Mr. Mitchell stated that he had a television show come to see the cats, and it will air on Nat Geo Wild.

Commissioner Parker states that we need to define exhibiting since he does have television shows coming to video the animals, and asks if there were any individuals that pay the \$1000 to see the animals.

Mr. Mitchell stated that there have been two people to come and see the animals in the time he has been there. The USDA ruled that it is not exhibiting.

Commissioner Parker asks the commission if they should pursue to exclude media provided the animals don't go off the property?

Commissioner Koenig is fine with that but has a problem with people paying \$1000 to see the animals and advertising for that.

Commissioner Parkers states we could exclude the \$1000 people and take that away as exhibiting and just leave the press and media as exhibiting.

Commissioner Hand stated that is something that can be dealt with in deliberations.

Commissioner Hafen asks what the current height of the fences are?

Mr. Mitchell states he has two fences. A 4 ft fence around the perimeter of the 20 acres, there is a 8 ft fence around the cats and the cats cages are 10 to 12 ft high.

Public Comment

Opened at 6:51 pm

Louie DeCanio stated he is speaking for his family and believes that the exotic animals are a good way to promote Pahrump. Mr. DeCanio believes the Town of Pahrump and Nye County

should work with the exotic animal owners to make Pahrump a planned stop with the tour companies. The animals are an asset to the community.

Ray Mielzynski owns the property where Mr. Mitchell has his tigers. The property has been an animal sanctuary since 1994. Mr. Mielzynski has never had tigers on the property but has had many other animals. Mr. Mitchell has 8 tigers and he is doing a service by taking care of the animals.

Steven A. Benson is a member of the Animal Advisory Board. Mr. Benson has an animal sanctuary for mustangs. He has known Mr. Mitchell for quite some time and is an exemplary trainer. Mr. Benson believes it would be a crime to take Mr. Mitchell away from the animals. Mr. Benson stated exhibiting is when you have public and set hours where they can come see and touch the animals. The movie companies will attract tourist to the community and improve revenue.

Mr. Mitchell asks that the commission accept the recommendations of staff and approve the CUP.

Public comment closed at 6:58 pm.

Commissioner Hand is concerned with the development in the future. The current owners have sent in some letters of opposition.

Commissioner Parker believes there should be a 3 to 5 year time limit on the CUP. She doesn't see power or water service coming in to the area anytime soon. Commissioner Parker asks Commissioner Hand if he sees any development in the next few years.

Commissioner Hafen agrees with Commissioner Hand and Commissioner Hafen recommends to the Commission that they place a time limit on the CUP and at the time of expiration he would have to come before the RPC again and start the process over. Commissioner Hafen sees the property developing in the future.

Commissioner Parker motions to approve CU-12-0007 to allow an animal sanctuary containing special condition animals, as subject to special conditions with a three year limit. Commissioner Koenig seconds.

Vote: Motion failed (**summary:** Yes = 3, No = 3, Abstain = 0).

Yes: Hafen, Koenig, Parker.

No: Goode, Hand, McCall.

Commissioner Hand addressed Mr. Mitchell and stated he can file an appeal in 30 days if he chooses.

RPC Minutes (from the August 15, 2012 RPC meeting): (See attached verbatim transcript)

RECOMMENDATION


Recommended BOCC Motion: "I motion to **AFFIRM** the Pahrump Regional Planning Commission's decision to disapprove Conditional Use Permit Application CU-12-0007." [Options include: 1.) **affirm**, 2.) **modify**, or 3.) **reverse**]



NYE COUNTY, NV
PAHRUMP REGIONAL PLANNING COMMISSION
REGULAR MEETING – AUGUST 15, 2012



Staff Report
Agenda Item No. 7

CASE DESCRIPTION(S):	CU-12-0007: Conditional Use Permit (CUP) application to allow an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) in the Rural Homestead (RH-4.5) Zoning District on an 18.28-acre (net) parcel.
LOCATION:	Located at 6061 N. Woodchips Road
APN NUMBER(S):	AP# 27-241-26.
LEGAL DESCRIPTION(S):	Parcel 4 of File Map #56470
PROPERTY OWNER(S):	Raymond Mielzynski – Property Owner
APPLICANT(S):	Karl Mitchell – Applicant
AGENT(S):	N/A
STAFF CONTACT:	Steve P. Osborne, AICP, Planning Director – (775) 751-4249 

PROJECT SYNOPSIS:

The applicant is requesting a Conditional Use Permit to allow an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) in the Rural Homestead (RH-4.5) Zoning District. Nye County Code §17.04.215 allows for both the keeping of Special Conditions Animals and Animal Sanctuaries within the RH-4.5 zone subject to approval of a Conditional Use Permit.

CONCLUSION – Upon extensive review of the application, staff is able to find sufficient justification to recommend approval. The subject property is Master Planned Low Density Residential and is zoned Rural Homestead Residential (RH-4.5); Nye County Code §17.04.215 allows Special Conditions Animals and Animal Sanctuaries within the RH-4.5 zone. The RH-4.5 zone requires a minimum parcel size of 4-½ gross acres; the subject parcel is 20 gross acres (18.28 acres net). There are no dwelling units, or any other development, within 600 feet of the subject parcel. It does not appear that the proposed use will significantly change the essential character of the area or have a negative impact upon surrounding properties.

RECOMMENDED MOTION(S):

Move to **APPROVE** CU-12-0007, based upon the Findings as shown on page two (2) and subject to the special conditions of approval as outlined in the staff report (or move to Deny CU-12-0007, based upon alternate findings as established by the Pahrump Regional Planning Commission).

Findings for CU-12-0007 as required under NCC 17.04.920.L of the Nye County Code:

1. *The conditional use is harmonious with and is in accordance with the general objectives or with any specific objectives of the currently adopted Master Plan, the Zoning Reference Map and this Title.* Nye County Code allows Special Conditions Animals and Animal Sanctuaries within the RH-4.5 zone upon the approval of a Conditional Use Permit. The subject property is Master Planned as LDR (Low Density Residential). The RH-4.5 zone is a conforming zone to the Master Plan designation of LDR.
2. *The conditional use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.* It does not appear that the conditional use would result in a substantial change to the existing or intended character of the area. The RH-4.5 Rural Homestead Residential Zone is intended to provide low density uses with a minimum lot size of four and one-half (4.5) gross acres, where animals may be kept in a quiet, rural setting. The Master Plan designation of LDR is intended to allow for areas where single family residences, agricultural uses, and animals/livestock are allowed on lot sizes with a minimum size of one acre.
3. *The conditional use will not be hazardous or disturbing to existing or future neighboring uses.* If the proposed use is properly operated and maintained, it does not appear it will be hazardous or disturbing to adjacent existing land uses, as the nearest existing residence is more than 600 feet from the subject property. However, it is noteworthy that 74 half-acre (approximately 20,000 square feet in size) lots, although currently vacant and undeveloped with no existing utilities such as sewer, water, or paved roads, exist within 500 feet of the subject property and could potentially be developed in the future. The 74 half-acre lots are all zoned Rural Estates (RE-1); the RE-1 zone is intended to allow single family residences on minimum lot sizes of one acre, where large animals and livestock may also be kept.
4. *The conditional use will be a substantial improvement to property in the immediate vicinity and to the community as a whole.*
5. *The conditional use will be adequately served by essential public facilities and services (highways, streets, police and fire protection, drainage structures, refuse disposal, schools).*
6. *The conditional use will not potentially create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.*
7. *The conditional use will not involve uses, activities, processes, materials and equipment, and conditions of operation that are detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glares or odors.* It does not appear that the use will create excessive production of traffic, noise, smoke, fumes, glares or odors.
8. *The conditional use is consistent with the intent and purposes of this Chapter.*

LAND USE MATRIX

	CURRENT ZONING	MASTER PLAN DESIGNATION	CURRENT LAND USE
SITE	RH-4.5	Low Density Residential	Single Family Residence/Tiger Sanctuary
NORTH	RH-4.5	Low Density Residential	Vacant/Undeveloped
SOUTH	RE-1	Low Density Residential	Vacant/Undeveloped
EAST	RE-1	Low Density Residential	Vacant/Undeveloped
WEST	Reserve (R)	BLM	Vacant/Undeveloped BLM land

DISCUSSION

Background: The subject parcel was rezoned from Open Use (OU) to Rural Homestead Residential (RH-4.5) by the Board of County Commissioners at their June 22, 2007 meeting. No further history follows.

Area Characteristics: The subject property is an 18.28 acre (net) site located in the northwest area of Pahrump, adjacent to Woodchips Road. BLM land is to the immediate west. An inventory of surrounding land uses can be found in the above-listed matrix. The subject property is partially located within flood zone AO (depth to 1 foot), which corresponds to areas inside the 100-year special flood hazard area as indicated by the Flood Insurance Rate Map (FIRM), and partially located within flood zone X (shaded), which corresponds to areas inside the 500-year special flood hazard area as indicated by the Flood Insurance Rate Map (FIRM).

External Comments: The Town of Pahrump, Emergency Services (Fire and Sheriff's Departments), the Nye County School District and Nye County Public Works offer no comments. Nye County Animal Control has inspected the premises and found the property to be secure (see attached report). Several letters in opposition as well as several letters in support of this application have been received (see attached).

ANALYSIS

Application Details: This application is a request for approval of a Conditional Use Permit to allow an Animal Sanctuary containing Special Conditions Animals (Bengal Tigers, Ligers) in the Rural Homestead (RH-4.5) Zoning District. Approval of a Conditional Use Permit requires a simple majority vote of the RPC.

Zoning: Nye County Code allows Special Conditions Animals and Animal Sanctuaries within the RH-4.5 zone. The RH-4.5 zone requires a minimum parcel size of 4 ½ gross acres; the subject parcel is 20 gross acres. There are no dwelling units, or any other development, within 600 feet of the subject parcel. It does not appear that the proposed use will significantly change the essential character of the area or have a negative impact upon existing surrounding properties. The nearest existing residence is more than 600 feet from the subject property. However, it is noteworthy that 74 half-acre (approximately 20,000 square feet in size) lots, although currently vacant and undeveloped with no existing utilities such as sewer, water, or paved roads, exist within 500 feet of the subject property and could potentially be developed in the future. Nye County Animal Control has inspected the premises and found the property to be secure (see attached report).

17.04.110 DEFINITIONS

Animal Sanctuary: An establishment owned or operated by a licensed profit or non-profit organization whose primary function is to provide lifetime care and comfort to animals.

Special Conditions Animal: Any animal which, because of its disposition, physical or inherent characteristics or size, behavior or propensity (without provocation) to inflict bodily harm or otherwise, demonstrate actions that would constitute a danger to any person, domestic livestock, other domestic animals or property. This term includes but is not limited to: orangutans, chimpanzees and gorillas, gibbons and siamangs, all species of Genus Macaca, Genus Papio, and Genus Theropithecus, wolves, jackals, dingos, maned wolf, all species of bears, wolverine, all species of hyenas, binturong, lions, tigers, jaguars, leopards and hybrids, cheetah, all subspecies of cougars, snow leopards, and all wild cats including but not limited to jungle cat, margay, caracal, serval, lynx, bobcat, clouded leopard, ocelot and hybrids; all species of elephants, kangaroos and Tasmanian devils.

17.04.215 RH-4.5 - RURAL HOMESTEAD RESIDENTIAL

- A. Scope. The following regulations shall apply to the RH-4.5 Rural Homestead Residential Zones. No new building or structure shall be erected, or parcel developed in an RH-4.5 Zone unless in conformance with the provisions identified herein.
- B. Purpose. The RH-4.5 Rural Homestead Residential Zones are intended to provide low density uses with a minimum lot size of four and one-half (4.5) gross acres, where animals may be kept as well as accessory buildings in a quiet, rural setting without maintaining a large agricultural operation. The RH-4.5 Rural Homestead Residential Zone is appropriate in rural areas where urban services will not be provided for an extended period of time.
- C. Height, Lot and Setback Requirements.

Minimum Lot Size	4.5 gross acres
Minimum Lot Width	250'
Minimum Lot Depth	250'
Maximum Building Height	35'

Minimum Building Setbacks				
Use	Front	Side	Rear	Street Side
Principal Residential Buildings	40'	25'	100'	40'
Principal Buildings for Non-Residential Uses*	40'	40'	40'	40'
Accessory buildings	40'	10'	10'	40'

* Principal buildings include institutional uses, quasi-public, churches, etc.

D. Permissive Uses.

Accessory buildings not to be used for residential purposes provided that the floor area of any single accessory building, or combined floor area of multiple accessory buildings, shall not exceed 50,000 square feet.

Buildings for the sale and display of products grown/raised on the premise

Churches, Temples, Mosques and related facilities and accessory uses

Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use

Family Ranch (Ord. 346, 2007)

Home Occupations, home-based businesses and residential industry (subject to the General Provisions for Residential Zones section) (Ord. 353, 2008)

Keeping of livestock or other large animals for commercial or household use, not including commercial slaughtering. (Ord. 346, 2007)

Kennel, Residential (Ord. 346, 2007)

Recreational Vehicles or Mobile homes as temporary residences subject to the issuance of a temporary use permit in Article VIII of this Chapter.

One Guest Residence not to exceed 1,500 square feet

One Single Family Residence per lot

Public, quasi-public and institutional uses

- E. Uses Subject to a Conditional Use Permit. The following are subject to a conditional use permit as provided for in Article V and VIII of this Chapter:

Adult Day Care Facilities

Agricultural Commercial Uses (Indoor) (Ord. 345, 2007)

Animal Rescue (See definitions) (Ord. 346, 2007)

Animal Sanctuary (See definitions) (Ord. 346, 2007)

Animal, Special Conditions (See definitions) (Ord. 346, 2007)

Apiary (Ord. 346, 2007)

Bed and Breakfast Inns

Cemeteries (Ord. 311, 2006)

Childcare Facilities

Farrowing Pens

Feed lots

Intermediate care facilities

Kennel, Commercial (See definitions) (Ord. 346, 2007)

Public or private recreation areas

Public or private schools

Stable, Commercial (See definitions) (Ord. 346, 2007)

Temporary living facilities

17.04.700 CONDITIONS AND SAFEGUARDS FOR CONDITIONAL USE PERMITS

- A. Specific Conditions and Safeguards for Individual Conditional Uses. The following specific conditions and safeguards for individual Conditional Uses shall be used in deciding upon applications for Conditional Use Permits, for uses listed subject to a conditional use permit in districts referenced in Article III of this Chapter.
- 2.5.1. Animal Sanctuary. The following conditions and safeguards shall be used in deciding upon applications for this use:
- a. Must comply with all Federal, State and County Regulations.
 - b. All animals shall be treated in a humane manner.
 - c. Any Code Compliance Officer, Animal Control Officer, Sheriff's Officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the Conditional Use Permit or any applicable state law or the regulations of Nye County are being violated.
 - d. All special conditions animals shall be registered with the Nye County Animal Control Office,
 - e. Inspection of animals and their habitat shall be conducted annually by a nationally or regionally established organization or agency or the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.
 - f. Failure to comply with any of the provisions of the approved Conditional Use Permits shall be deemed just cause for revocation of any approvals. (Ord. 346, 2007)
- 2.5.2. Animal, Special Conditions. The following conditions and safeguards shall be used in deciding upon application for this use:
- a. Must comply with all Federal, State and County Regulations.
 - b. All animals shall be treated in a humane manner.
 - c. Any Code Compliance Officer, Animal Control Officer, Sheriff's Officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the Conditional Use Permit or any applicable state law or the regulations of Nye County are being violated.
 - d. All special conditions animals shall be registered with the Nye County Animal Control Office,
 - e. All permits issued through Nevada Wildlife Dept. or the USDA or any other agency or organization shall be current and kept on file in the Nye County Animal Control Office,
 - f. Inspection of animals and their habitat shall be conducted annually by the permitting agency or the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.

- g. Failure to comply with any of the provisions of the approved Conditional Use Permits shall be deemed just cause for revocation of any approvals. (Ord. 346, 2007)

CONCLUSIONS

Upon extensive review of the application, staff is able to find sufficient justification to recommend approval. The subject property is Master Planned Low Density Residential and is zoned Rural Homestead Residential (RH-4.5); Nye County Code allows for the keeping of Special Conditions Animals and Animal Sanctuaries within the RH-4.5 zone subject to approval of a Conditional Use Permit. The proposed use will not change the essential character of the area or have a negative impact upon existing surrounding properties. Should the Regional Planning Commission desire to approve the applications, the following **SPECIAL CONDITIONS OF APPROVAL** are suggested subject to the discretion of the Regional Planning Commission:

SPECIAL CONDITIONS OF APPROVAL

1. Property Owner and Applicant shall comply with all Federal, State, County and Town regulations, laws and codes.
2. Nye County Planning, Public Works and Pahrump Valley Fire-Rescue Services reserve the right to provide further comment should any new development be proposed at a future date.
3. All animals shall be treated in a humane manner.
4. Any Code Compliance Officer, Animal Control Officer, Sheriff's Officer, or other authorized representative of the County shall have the authority to enter upon the property or into the facility except by means of force when they have reason to believe that the provisions of the Conditional Use Permit or any applicable state law or the regulations of Nye County are being violated.
5. All special conditions animals shall be registered with the Nye County Animal Control Office.
6. Applicant shall obtain any required permits issued through Nevada Wildlife Department or the USDA or any other agency.
7. All permits issued through Nevada Wildlife Department or the USDA or any other agency or organization shall be current and kept on file in the Nye County Animal Control Office.
8. Inspection of animals and their habitat shall be conducted annually by the Nye County Animal Control Office. Copies of the inspections reports shall be maintained at the Nye County Animal Control Office.
9. The sanctuary shall not be open to the public; no exhibiting of the animals shall be allowed to occur on the premises.
10. Any changes to the operation of the sanctuary (i.e., opening the facility to the public, having established hours of operation) shall require an amendment of the Conditional Use Permit which will require a Public Hearing and approval by the RPC.
11. Failure to comply with any of the conditions of the approved Conditional Use Permit shall be deemed just cause for revocation.
12. Applicant shall obtain a Town of Pahrump Business License within 30 days of approval of the Conditional Use Permit.
13. This Conditional Use Permit is not transferrable to subsequent property owners or tenants.
14. The Conditional Use Permit shall expire in three (3) years. Applicant may apply for a renewal prior to expiration. A renewal application shall require the same approval process as the original application. The Conditional Use Permit shall become void upon this use relocating to a different property.
15. The height, material, and design of all cages, fencing, and other animal enclosures must comply with all requirements deemed appropriate by the Nye County Animal Control Office. Failure to comply with any cage, fencing, or other animal enclosure requirement shall be deemed just cause for revocation.

PRPC HEARING -- 15 AUGUST 2012 -- CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

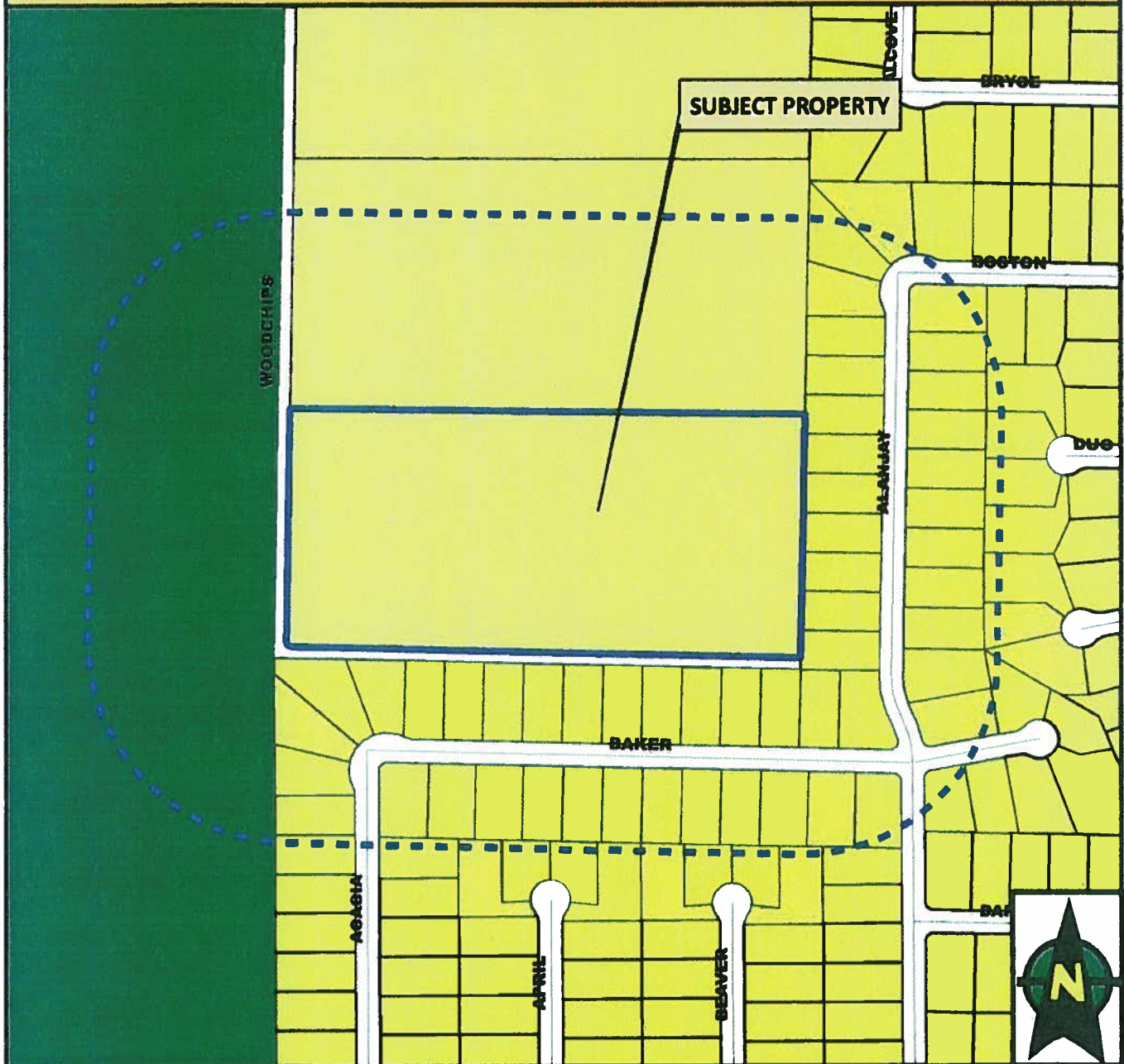


EXHIBIT "A" - AREA ZONING

- | | |
|---|---|
|  SUBJECT PROPERTY |  RH 4.5: Rural Homestead Residential |
|  NOTIFIED PROPERTIES |  RE-1; Rural Estates Residential |
|  500 FOOT BUFFER |  R; Reserve |

NYE COUNTY
 NYE COUNTY, NV DEPT of PLANNING
 Pahump Regional Planning District (PRPD)

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PRPC HEARING -- 15 AUGUST 2012 -- CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

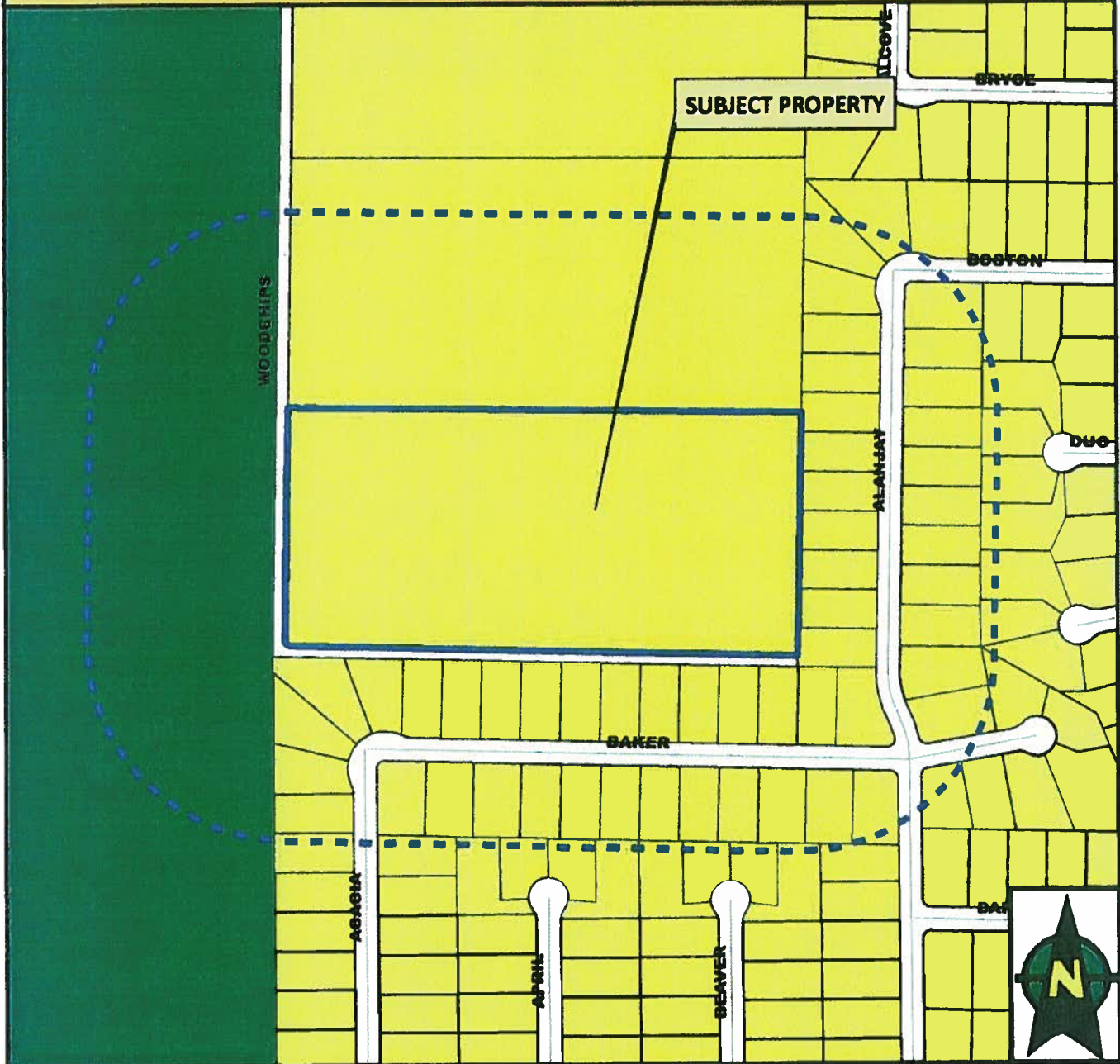







EXHIBIT "B" - MASTER PLAN CATEGORIES

-  SUBJECT PROPERTY
-  NOTIFIED PROPERTIES
-  500 FOOT BUFFER
-  LDR: Low Density Residential
-  BLM: Bureau of Land Management

NYE COUNTY
 NYE COUNTY, NV DEPT OF PLANNING
 Pahrump Regional Planning District (PRPD)

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PAHRUMP REGIONAL PLANNING COMMISSION

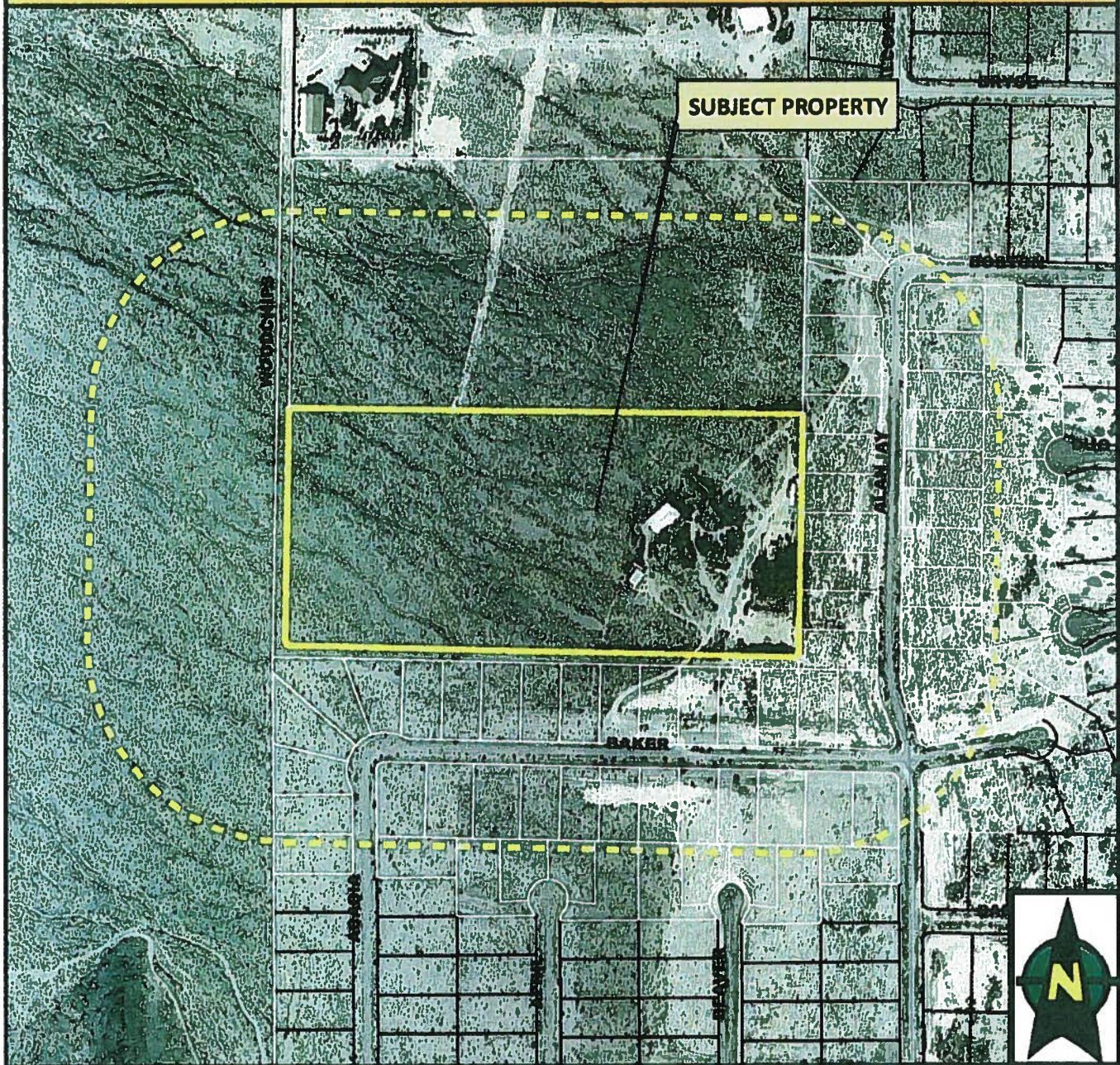





EXHIBIT "C" - AERIAL PERSPECTIVE

-  **SUBJECT PROPERTY**
-  **NOTIFIED PROPERTIES**
-  **500 FOOT BUFFER**

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Pahrump Regional Planning District
(PRPD)

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PRPC HEARING -- 15 AUGUST 2012 -- CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

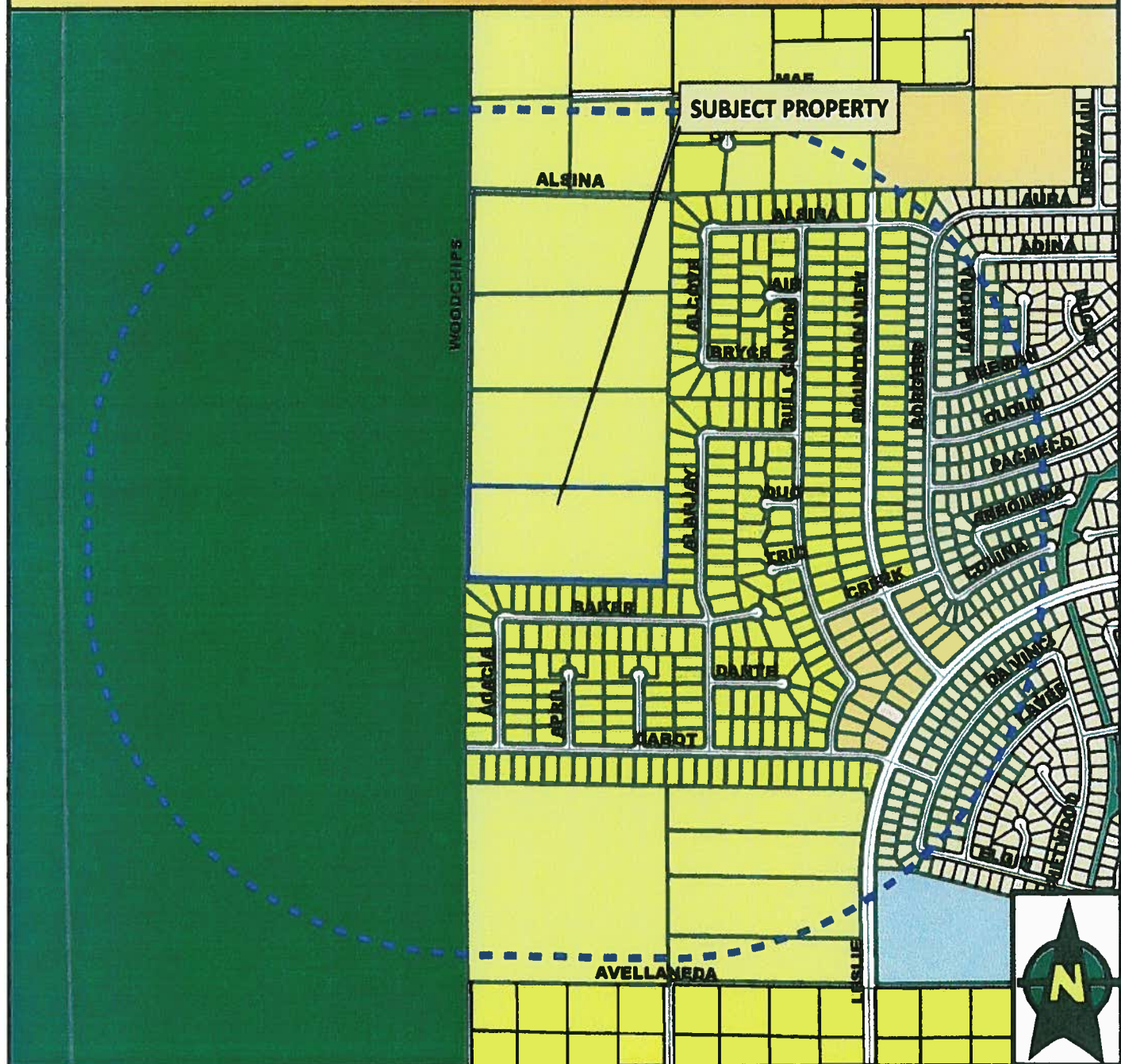














EXHIBIT "D" - AREA ZONING - 2500 FT BUFFER

- | | | | | | |
|---|-------------------------------------|---|---------------------------------|---|---------------------------------|
|  | SUBJECT PROPERTY |  | R; Reserve |  | RE-2; Rural Estates Residential |
|  | PROPERTIES WITHIN 2500 FT |  | RE-1; Rural Estates Residential |  | CF; Community Facilities |
|  | 2500 FOOT BUFFER |  | VR-10; Village Residential |  | NC; Neighborhood Commercial |
|  | RH 4.5; Rural Homestead Residential |  | VR-20; Village Residential |  | OS; Open Space |



**NYE COUNTY, NV DEPT of PLANNING
Pahrump Regional Planning District
(PRPD)**

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March 10, 2012

JUSTIFICATION LETTER

Pahrump Regional Planning

Applicant, Karl Mitchell, requests Conditional Use Permit for Exotic Animals.

The property located at 6061 North Woodchips is 20 acres and is 4.5 or more acres per rural homes.

Applicant is a private shelter not open to the public, for the care of privately owned animals. There will be nothing sold, manufactured nor traffic increase.

Thank You,

A handwritten signature in black ink, appearing to read 'Karl Mitchell', with a stylized, cursive script.

Karl Mitchell
P.O. Box 1085
Pahrump, NV 89041
(424) 731-0768

NYE COUNTY ANIMAL CONTROL / SHELTER

171 N. KITTYHAWK
PAHRUMP, NV 89060
Phone: (775) 751-7020



NYE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER AND PROVIDER.

INCIDENT REPORT

Incident ID: 32069

Status: Complete

Printed: 04-23-2012 14:19:05

Origination

Date: 03-29-2012 09:11:04 Logged by: Jon T Mc Carty
Reason: Follow Up, Facility Inspection
District: NORTH
Location: 6061 N Woodchips, Pahrump, NV 89060

Notes:

Informal inspection of property regarding pending CUP.

Citizen Making Report

Owner of animal at origination

Karl Mitchell
6061 N Woodchips
Pahrump, NV 89060
(424) 731-0768

Dispatch and Outcome

Assigned to: Jon T Mc Carty On 03-29-2012 08:12:47 Priority 2
Final Outcome: Completed On 03-29-2012 10:30:32

Officer/Outcome Notes for Incident ID: 32069

During my visit I found Mr. Mitchell's property to be secure and in accordance with current code, all animals appeared to be in alert yet relaxed state of mind.

Animal Information

No specific animal is associated with this Incident

End of Incident Report 32069

To whom it may concern,

On March 24th, I visited Carl Mitchells' place to evaluate the care and conditions of the 8 large fellds. All individuals were assessed to be in 5/9 BCS or better. I evaluated each individual and found no signs of current illness or neglect. Their environments are observed to be above standards in terms of cleanliness and sanitary. Any questions can be answered at (702)400-3631. Thank you!

LAST RAUCH VISIT NOVEMBER, 2011.

Adam Hadland, DVM

 AM 3/24/12

EXISTING

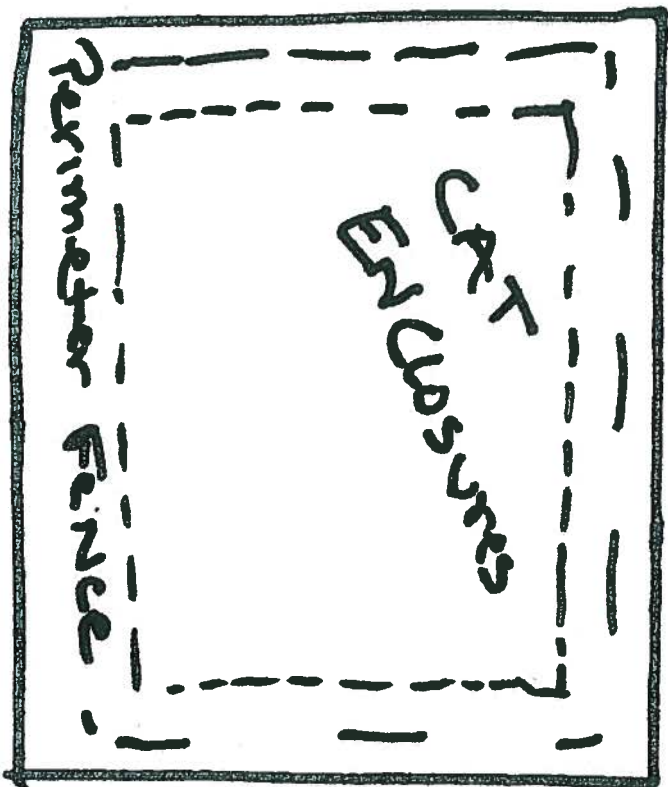
VEA EASEMENT

Property Line

LOGL
WOODCHIPS

120

330X120



L= 330 -7

Property Line

ROAD

213

PRPC HEARING - 12 DEC 2012 - CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

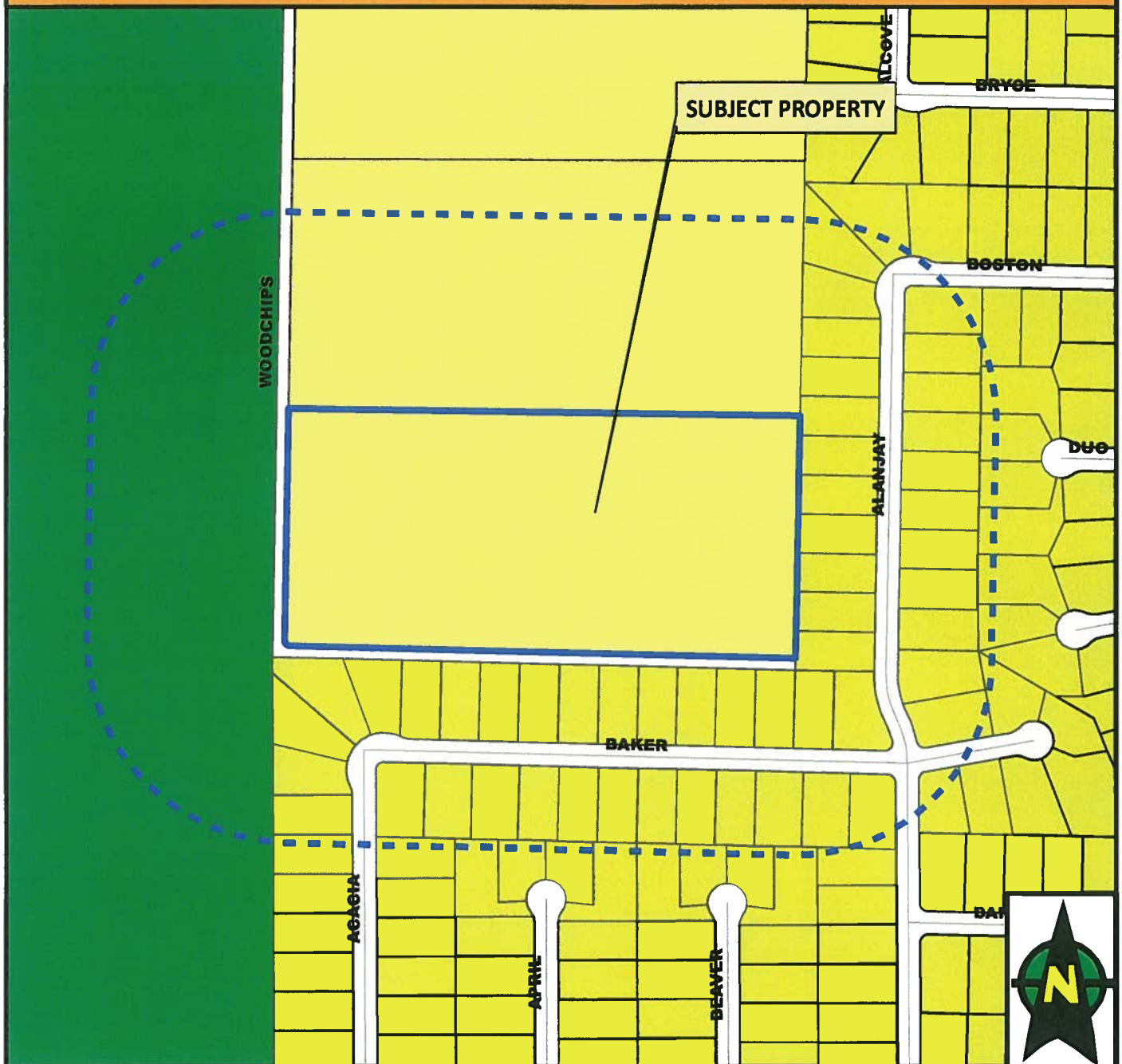








EXHIBIT "A" - AREA ZONING

- | | |
|---|---|
|  SUBJECT PROPERTY |  RH 4.5: Rural Homestead Residential |
|  NOTIFIED PROPERTIES |  RE-1; Rural Estates Residential |
|  500 FOOT BUFFER |  R; Reserve |

NYE COUNTY

NYE COUNTY, NV DEPT of PLANNING
 Pahrump Regional Planning District
 (PRPD)

The information shown hereon is approximate and for exhibit use only. Nye County is not responsible for any claims, injuries or liabilities resulting from the use of this document beyond the purpose for which it is intended. This drawing not drawn to scale.

PRPC HEARING - 12 DEC 2012 - CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

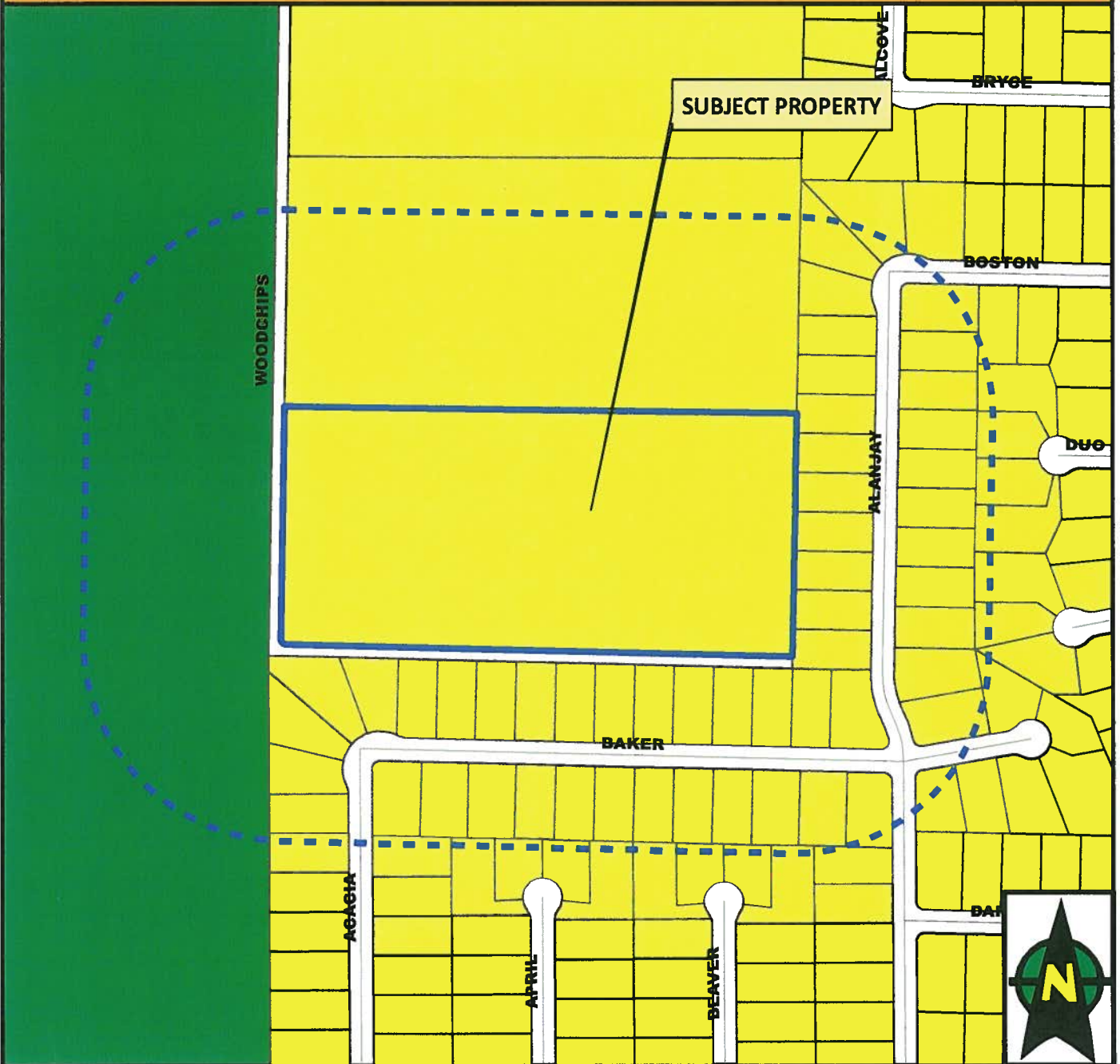







EXHIBIT "B" - MASTER PLAN CATEGORIES

-  SUBJECT PROPERTY
 NOTIFIED PROPERTIES
 500 FOOT BUFFER
 LDR: Low Density Residential
 BLM: Bureau of Land Management



**NYE COUNTY, NV DEPT of PLANNING
Pahrump Regional Planning District
(PRPD)**

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PRPC HEARING - 12 DEC 2012 - CU-12-0007
PAHRUMP REGIONAL PLANNING COMMISSION

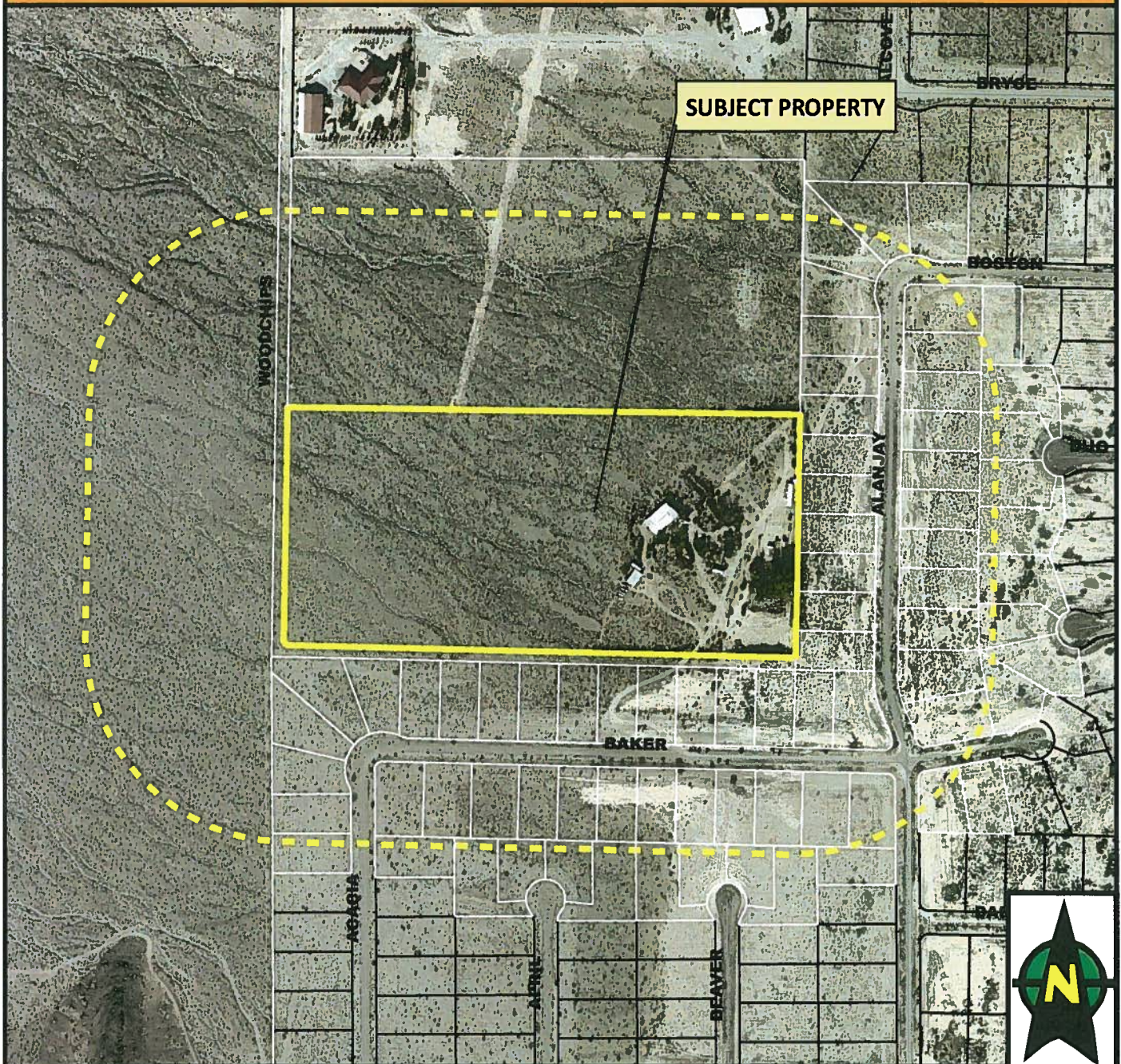





EXHIBIT "C" - AERIAL PERSPECTIVE

-  SUBJECT PROPERTY
-  NOTIFIED PROPERTIES
-  500 FOOT BUFFER

PRPC HEARING -- 15 AUGUST 2012 -- CU-12-0007 PAHRUMP REGIONAL PLANNING COMMISSION

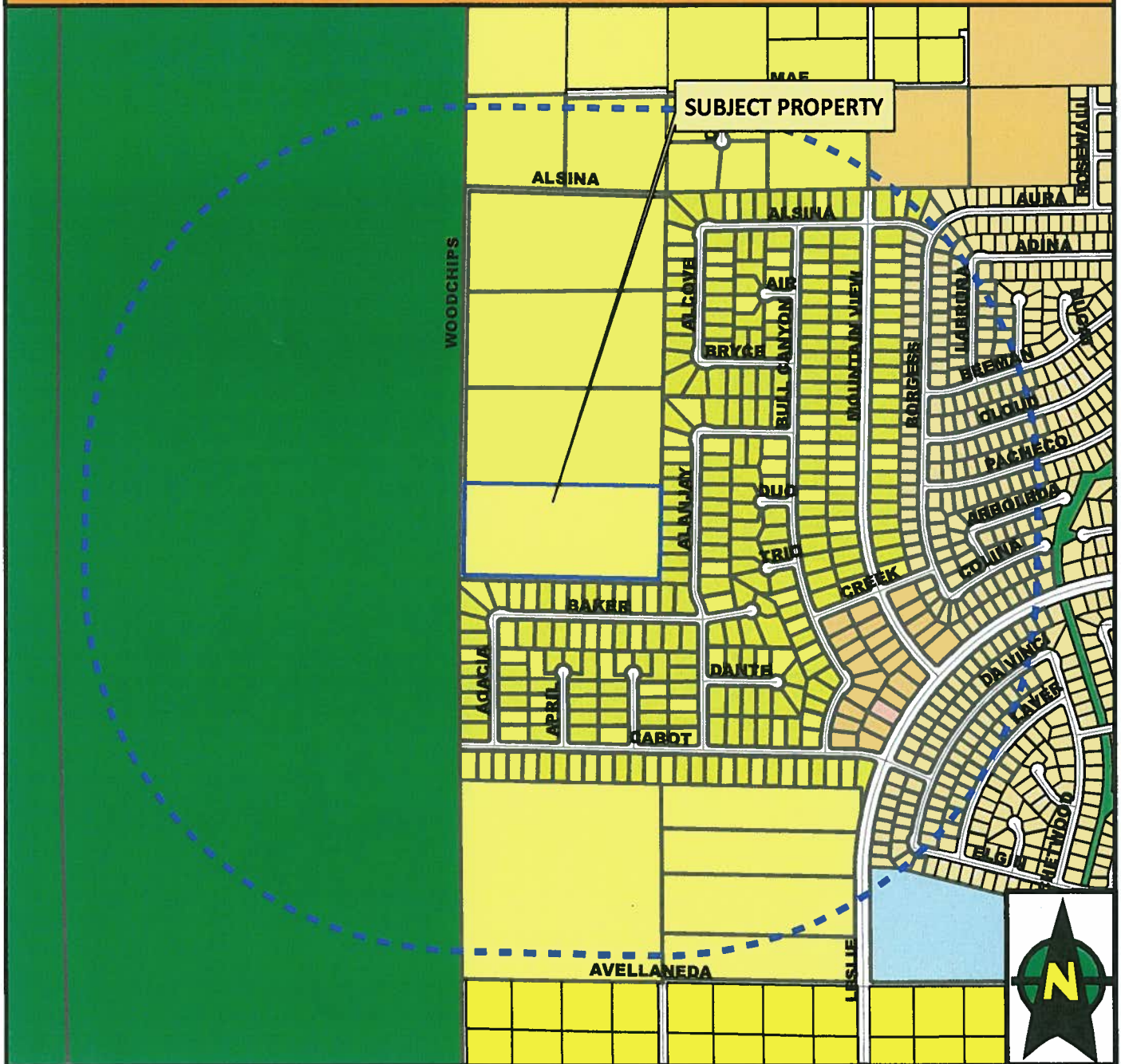


EXHIBIT "D" - AREA ZONING - 2500 FT BUFFER

SUBJECT PROPERTY	R; Reserve	RE-2; Rural Estates Residential
PROPERTIES WITHIN 2500 FT	RE-1; Rural Estates Residential	CF; Community Facilities
2500 FOOT BUFFER	VR-10; Village Residential	NC; Neighborhood Commercial
RH 4.5; Rural Homestead Residential	VR-20; Village Residential	OS; Open Space

NYE
COUNTY

NYE COUNTY, NV DEPT of PLANNING
Pahrump Regional Planning District
(PRPD)

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Elizabeth Lee

From: lorraine wood [billew2@yahoo.com]
Sent: Tuesday, December 04, 2012 10:09 AM
To: Planning

Planning Dept:

Concerning the hearing re: CU-12-0007 on December 12, 2012, as a long time property owner in the area they're proposing a wild animal refuge, I feel any action that will render my property invaluable and unusable should be monetarily compensated.

Lorraine E. Wood
871 Palisade Circle
Gardnerville, NV 89460-8884

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:21 AM
To: Steve Osborne
Subject: Fwd:

Steve, will be forwarding these as they come in. Terry Hand

----- Forwarded message -----

From: lynn aime <lynnaima@yahoo.com>
Date: Tue, Jan 8, 2013 at 9:29 AM
Subject:
To: "thand3601@gmail.com" <thand3601@gmail.com>

I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety. Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals. I live in Nevada and do not want any exotic animals kept for any purpose. These animals should not be kept in cages or permitted to be kept for entertainment purposes. It is a danger to not only the human population but is unacceptable living conditions for these animals.

Thank you.

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:23 AM
To: Steve Osborne
Subject: Fwd: Revoke Mitchell's permit, Nye County, NV, US

----- Forwarded message -----

From: Anneke Andries <annekeal@hotmail.com>
Date: Tue, Jan 8, 2013 at 8:37 AM
Subject: Revoke Mitchell's permit, Nye County, NV, US
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, imvicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Dear Sir,

I noticed that on January 16, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him to keep tigers and ligers in Pahrump.

On August 15, 2012, you denied Mitchell's permit request.

Unfortunately, the Nye County Commissioners made the misguided decision to overturn the your denial and granted Mitchell a permit in October.

Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelty withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages.

Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

**I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety.
Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.**

Sincerely,

Anneke Andries, Prins Hendrikstraat 7, 4941 JT Raamsdonksveer, the Netherlands, 0031 162516741;
Hennie Oosterman; David Weisman; Susan van Ockelen; Jeanet Verweij; Miranda van Ittersum;
Netherlands.

Jean S.; Armand Beaufort; Lisette G.; Aurelie B.; Cheryl Minottes; France.

Yvonne Suters; Inge Schroeder; Wolfgang Beckingen; Mireille Dautz; Germany.

**Tina Bartels; John Summers; Henry T.; Vickey Osborn; Teddy Miller; Great Britain.
Amanda Fields; Jurgen Sorens; Rita Suffolk; Mary Dalton; Joseph Pritchard; Kimberley Fields; USA.
Simon Sears; Beverly Woods; Anita Brewer; Daniel Russel; Petra Stafford; Australia.**

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:23 AM
To: Steve Osborne
Subject: Fwd: Please revoke Mitchell's permit

----- Forwarded message -----

From: Cindi Scholefield <cindischo@flowja.com>

Date: Tue, Jan 8, 2013 at 6:46 AM

Subject: Please revoke Mitchell's permit

To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com, jseatonmccall@ymail.com, imvicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Dear Sir,

I noticed that on January 16, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him to keep tigers and ligers in Pahrump.

On August 15, 2012, you denied Mitchell's permit request.

Unfortunately, the Nye County Commissioners made the misguided decision to overturn the your denial and granted Mitchell a permit in October.

Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped

cages.

Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety. Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.

Sincerely,

Cindi Scholefield

Jamaica

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:24 AM
To: Steve Osborne
Subject: Fwd: Revoke Mitchell's permit

----- Forwarded message -----

From: Chantal Buslot <chanti@odie.be>

Date: Tue, Jan 8, 2013 at 6:31 AM

Subject: Revoke Mitchell's permit

To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com, jseatonmccall@ymail.com, invicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Dear Sir,

I noticed that on January 16, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him to keep tigers and ligers in Pahrump.

On August 15, 2012, you denied Mitchell's permit request.

Unfortunately, the Nye County Commissioners made the misguided decision to overturn the your denial and granted Mitchell a permit in October.

Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelty withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages.

Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

**I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety.
Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.**

Sincerely,

**Chantal Buslot
Belgium**

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:25 AM
To: Steve Osborne
Subject: Fwd: PETA MITCHELL'S CASE.

----- Forwarded message -----

From: Cynthia Nunez <nunezrenoluv@aol.com>
Date: Mon, Jan 7, 2013 at 8:41 PM
Subject: PETA MITCHELL'S CASE.
To: "thand3601@gmail.com" <thand3601@gmail.com>

Hello,

My name is Cynthia Nunez, a PETA supporter urging you to revoke Mitchell's permit for the sake of animal welfare and public safety. Mitchell has no respect for animals or the law and should not be allowed to keep exotic animals. We need your help to make sure that the RPC makes the correct decision and revokes Mitchell's permit!

Thank you for your time!

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:41 AM
To: Steve Osborne
Subject: Fwd:

----- Forwarded message -----

From: cindy lou <loucindy440@gmail.com>
Date: Tue, Jan 8, 2013 at 10:36 AM
Subject:
To: thand3601@gmail.com

I AM A RESIDENT OF LAS VEGAS AND ASHAMED OF IT.
ALLOWING THESE PEOPLE TO HAVE ANIMALS IS UNNATURAL
UNWARRANTED AND CRUEL.

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:45 AM
To: Steve Osborne
Subject: Fwd: Karl Mitchell

----- Forwarded message -----

From: sauwah tsang <sau-wah@cox.net>
Date: Mon, Jan 7, 2013 at 3:24 PM
Subject: Karl Mitchell
To: thand3601@gmail.com, jkoenigRPC@sbgobal.net, gth2@pucihafen.com, invicky@aol.com,
aborasky@co.nye.nv.us

Dear Sir,

Please revoke license of Karl Mitchell for keeping his exotic big cats in Pahrump.

Sincerely,

sauwah

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:46 AM
To: Steve Osborne
Subject: Fwd: (no subject)

----- Forwarded message -----

From: <THEBOBJ@aol.com>

Date: Mon, Jan 7, 2013 at 2:25 PM

Subject: (no subject)

To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, invicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety. Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages. Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

TheBobJ

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:47 AM
To: Steve Osborne
Subject: Fwd: Karl Mitchell's exotic animals

----- Forwarded message -----

From: <ksimmonsathome@cs.com>
Date: Mon, Jan 7, 2013 at 1:47 PM
Subject: Karl Mitchell's exotic animals
To: thand3601@gmail.com, 1948@yahoo.com

To Whom It May Concern:

I have just read about Karl Mitchell being able to exhibit his wild animals again. This man has proven himself to be cruel, unethical and unconscious. Why would you allow him to prove this yet again? Using exotics under any circumstances is not right, let alone under the conditions he forced his to live in. Please do not allow him to do this again. I am deeply disturbed and troubled by this.

Please be a voice for the voiceless, and do not reward this man by allowing him the opportunity to inflict more abuse.

Thank you for doing the right thing.

Kat Simmons

If there is a single definition of healing it is to enter with mercy and awareness those pains, mental and physical, from which we have withdrawn in judgment and dismay.

- Stephen Levine -

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:47 AM
To: Steve Osborne
Subject: Fwd: revoke Karl Mitchells permit

----- Forwarded message -----

From: Byers, Ryan <Ryan.Byers@cirquedusoleil.com>
Date: Mon, Jan 7, 2013 at 1:39 PM
Subject: revoke Karl Mitchells permit
To: "thand3601@gmail.com" <thand3601@gmail.com>, "jkoenigRPC@sbcglobal.net" <jkoenigRPC@sbcglobal.net>, "gth2@pucihafen.com" <gth2@pucihafen.com>, "goodearchitect@live.com" <goodearchitect@live.com>, "jseatonmccall@ymail.com" <jseatonmccall@ymail.com>, "imvicky@aol.com" <imvicky@aol.com>, "aborasky@co.nye.nv.us" <aborasky@co.nye.nv.us>, "bobking1948@yahoo.com" <bobking1948@yahoo.com>

To Whom it May Concern –

As a Las Vegas resident I ask....

Please revoke Karl Mitchell's permit allowing him to keep tigers and ligers in Pahrump!

Please, for the sake of animal welfare and public safety,

Karl Mitchell should not be allowed to keep exotic animals.

Thank you for your time. – Ryan C Byers

Ryan Byers
Mystère - PC

Office [702-894-7733](tel:702-894-7733)
Fax [702-894-7789](tel:702-894-7789)
Cell [702-205-1282](tel:702-205-1282)

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:47 AM
To: Steve Osborne
Subject: Fwd: Revocation of Karl Mitchell's permit

----- Forwarded message -----

From: Liz Coronella <liz.coronella@gmail.com>
Date: Mon, Jan 7, 2013 at 1:22 PM
Subject: Re: Revocation of Karl Mitchell's permit
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, invicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Additional, I am a resident of Washoe County. Thank you. Liz Coronella

On Mon, Jan 7, 2013 at 1:20 PM, Liz Coronella <liz.coronella@gmail.com> wrote:

I am writing to you today to ask that you please revoke Karl Mitchell's permit to have exotic animals. He has proven incapable of humanely taking care of these animals.

Thank you

Liz Coronella

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:48 AM
To: Steve Osborne
Subject: Fwd: Ligers and Tiger, oh my

----- Forwarded message -----

From: Susan Hastings <sustings@gmail.com>
Date: Mon, Jan 7, 2013 at 1:12 PM
Subject: Ligers and Tiger, oh my
To: thand3601@gmail.com

Please revoke the permit of Karl Mitchell so his abuse of these beautiful animals can end and they can be placed in better homes.

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:48 AM
To: Steve Osborne
Subject: Fwd: Karl Mitchel

----- Forwarded message -----

From: myrna morris <morrismyrna@yahoo.com>
Date: Mon, Jan 7, 2013 at 1:09 PM
Subject: Karl Mitchel
To: "thand3601@gmail.com" <thand3601@gmail.com>

Hello,

Please revoke Karl Mitchells permission to keep wild animals. He is an animal abuser and not fit to keep a cat! How is it he is allowed to keep large wild animals, who are obviously suffering at his hands. Thanks for your attention to this matter.

Myrna Morris.

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:43 AM
To: Steve Osborne
Subject: Fwd: Please listen. . .

----- Forwarded message -----

From: Jill <jill@ladyjill.com>
Date: Mon, Jan 7, 2013 at 5:27 PM
Subject: Please listen. . .
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, bobking1948@yahoo.com, aborasky@co.nye.nv.us, imvicky@aol.com

Dear RPC Members:

I am a concerned citizen of Nevada and I urge you to revoke Karl Mitchell's permit to house exotic animals in Pahrump.

Not only is it highly unfair to these wild animals, it could create the worse nightmare to everyone if these caged animals accidentally got loose.

Thanks you for considering my plea.
Ms. Jill Mueller
Washoe Valley, Nevada

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 10:24 AM
To: Steve Osborne
Subject: Fwd: REVOKE KARL MITCHELLS PERMENT NOW

----- Forwarded message -----

From: <EJones4008@aol.com>
Date: Tue, Jan 8, 2013 at 12:59 AM
Subject: REVOKE KARL MITCHELLS PERMENT NOW
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, imvicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Please revoke Karl Mitchell's permit for the sake of animal welfare and public safety. Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals. This man is a serial animal abuser

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages. Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

I am a resident of Las Vegas and a Advocate for all animals wild and domestic. Please see that this man never gets a permit or license to have any animals ever again. These animals need to be sent to sanctuaries where they will not be abused and will receive vet care and proper food.

Elizabeth Jones
Las Vegas, NV 89107

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 2:37 PM
To: Steve Osborne
Subject: Fwd: Karl Mitchell - Revoke Permit

----- Forwarded message -----

From: <Mislucie99@aol.com>
Date: Tue, Jan 8, 2013 at 1:47 PM
Subject: Karl Mitchell - Revoke Permit
To: thand3601@gmail.com

Dear Member of RPC.

Please revoke Karl Mitchell permit for the sake of animal welfare and public safety.
He has no respect for animals or the law and should not be allowed to keep exotic animals.
I live in Las Vegas, Nevada 89131.

Thank you.
Phyllis Van Leuven
Mislucie99@aol.com

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 2:37 PM
To: Steve Osborne
Subject: Fwd: Karl Mitchell

----- Forwarded message -----

From: CHRIS HOLDER <chrisholder1@btinternet.com>
Date: Tue, Jan 8, 2013 at 1:31 PM
Subject: Karl Mitchell
To: "thand3601@gmail.com" <thand3601@gmail.com>, "jkoenigRPC@sbcglobal.net" <jkoenigRPC@sbcglobal.net>, "gth2@pucihafen.com" <gth2@pucihafen.com>, "goodearchitect@live.com" <goodearchitect@live.com>, "jseatonmccall@ymail.com" <jseatonmccall@ymail.com>

Dear Sir/Madam,

I understand that on 16th January, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him to keep tigers and ligers in Pahrump. Also I believe that although RPC denied Mitchell's permit request the Nye County Commissioners made the misguided decision to overturn the RPC's denial and granted Mitchell a permit in October. Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit. We need your help to make sure that the RPC makes the correct decision and revokes Mitchell's permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages. Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

Please I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety. Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.

Sincerely,

Christine Williams,
Coningsby, Lincolnshire, UK

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 2:38 PM
To: Steve Osborne
Subject: Fwd:

----- Forwarded message -----

From: Tracy Robles <tracyannlv@gmail.com>
Date: Tue, Jan 8, 2013 at 1:21 PM
Subject:
To: thand3601@gmail.com

This man must NOT be allowed a license! He is an animal abuser!

Sincerely
Tracy Robles
Las Vegas NV

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 2:39 PM
To: Steve Osborne
Subject: Fwd: Revoke Mitchell's permit

----- Forwarded message -----

From: <elisabeth.bechmann@kstp.at>
Date: Tue, Jan 8, 2013 at 11:57 AM
Subject: Revoke Mitchell's permit
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, imvicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Dear Sir,

I noticed that on January 16, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him to keep tigers and ligers in Pahrump.

On August 15, 2012, you denied Mitchell's permit request.

Unfortunately, the Nye County Commissioners made the misguided decision to overturn the your denial and granted Mitchell a permit in October.
Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages.

Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety.
Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.

Sincerely,
Dr. Elisabeth Bechmann
Austria

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Tuesday, January 08, 2013 2:42 PM
To: Steve Osborne
Subject: Fwd: Please Take Appropriate Action

----- Forwarded message -----

From: Annoula <wylderich@cox.net>
Date: Tue, Jan 8, 2013 at 11:13 AM
Subject: Please Take Appropriate Action
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, invicky@aol.com, Andrew Borasky <aborasky@co.nye.nv.us>,
bobking1948@yahoo.com

Members of the RPC,

As a concerned local resident, I urge you to revoke Karl Mitchell's permit for the sake of animal welfare and public safety. I have had conversations with several of you and I am aware of your concerns. However, in light of the fact that folks rely on local government to take action when needed, I think this is a case where the time has come to put an end to his activities rather than waiting for the USDA to step in. It's the right thing to do.

Sincerely,
Annoula Wylderich

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Wednesday, January 09, 2013 8:53 AM
To: Steve Osborne
Subject: Fwd: Revoke Mitchell's permit, Nye County, NV, US

----- Forwarded message -----

From: Thesmophoros <thesmophoros@yahoo.de>
Date: Tue, Jan 8, 2013 at 11:34 PM
Subject: Revoke Mitchell's permit, Nye County, NV, US
To: thand3601@gmail.com, jkoenigRPC@sbcglobal.net, gth2@pucihafen.com, goodearchitect@live.com,
jseatonmccall@ymail.com, imvicky@aol.com, aborasky@co.nye.nv.us, bobking1948@yahoo.com

Dear Sir,

I noticed that on January 16, 2013, the Pahrump Regional Planning Commission (RPC) will be considering revocation of the special permit that was recently granted to serial animal abuser Karl Mitchell, allowing him again to keep tigers and lions in Pahrump.

On August 15, 2012, you denied Mitchell's permit request.

Unfortunately, the Nye County Commissioners made the misguided decision to overturn the your denial and granted Mitchell a permit in October.
Mitchell's continued illegal exhibition of exotic animals without a federal license is grounds for termination of his county permit.

The U.S. Department of Agriculture (USDA) fined Mitchell tens of thousands of dollars and also took the extraordinary step of permanently revoking Mitchell's exhibitor license in 2001 because of ongoing, serious violations of the federal Animal Welfare Act, including cruelly withholding water as a training technique, forcing animals to live in enclosures filled with their own waste, failing to supply animals with veterinary care, and failing to provide large cats with enough space by confining them to cramped cages.

Mitchell is currently under investigation by the USDA and the U.S. Fish and Wildlife Service for unlawfully continuing to exhibit and transport exotic animals across state lines without a valid license.

**I urge you to revoke Mitchell's permit for the sake of animal welfare and public safety.
Mitchell, who has no respect for animals or the law, should not be allowed to keep exotic animals.**

Sincerely,
Maria Schneider, Germany

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Wednesday, January 09, 2013 8:54 AM
To: Steve Osborne
Subject: Fwd: Please REVOKE Karl Mitchell's exotic animal permit

----- Forwarded message -----

From: editor <5thnight@gmail.com>
Date: Tue, Jan 8, 2013 at 8:46 PM
Subject: Please REVOKE Karl Mitchell's exotic animal permit
To: thand3601@gmail.com

Nye County Commissioners should NEVER have overturned the RPC's denial to grant Karl Mitchell an exotic animal permit. Please revoke this decision for the sake of animal welfare and public safety. Mitchell, has no respect for animals or the law. This man should not be allowed to keep exotic animals in Pahrump or anywhere else.

A.G. Anderson
Nevada resident

Steve Osborne

From: TERRY HAND [thand3601@gmail.com]
Sent: Wednesday, January 09, 2013 8:54 AM
To: Steve Osborne
Subject: Fwd: Please help not harm the animals!!!

----- Forwarded message -----

From: janelle shimshi <janelleshimshi@gmail.com>
Date: Tue, Jan 8, 2013 at 2:44 PM
Subject: Please help not harm the animals!!!
To: thand3601@gmail.com

As a citizen of the state of Nevada, I beg you not to reinstate this man's ability to abuse any more animals...ever!!!

Please, please and thank you for your time.

--

Janelle Shimshi